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NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CARLOS DEAGUERO,

Defendant - Appellant.

No. 06-50428

D.C. No. CR-05-00642-JFW-03

MEMORANDUM^{*}

Appeal from the United States District Court
for the Central District of California
John F. Walter, District Judge, Presiding

Submitted October 22, 2007^{**}

Before: B. FLETCHER, WARDLAW, and IKUTA, Circuit Judges.

Carlos Deaguero appeals from his guilty-plea conviction and 108-month sentence for conspiracy to possess with intent to distribute a controlled substance, and money laundering, in violation of 21 U.S.C. §§ 846 and 841(a)(1) and (b)(1)(A), and 18 U.S.C. § 1956(h), respectively. Pursuant to *Anders v.*

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

California, 386 U.S. 738 (1967), Deaguero's counsel has filed a brief stating there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided the appellant an opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

We have independently reviewed the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 82-83 (1988). We affirm the conviction. Because Deaguero knowingly and voluntarily waived his right to appeal his sentence and was sentenced within the terms of the plea agreement, we enforce the waiver and dismiss the appeal of his sentence. *See United States v. Nguyen*, 235 F.3d 1179, 1182 (9th Cir. 2000).

Accordingly, we **GRANT** counsel's motion to withdraw, **AFFIRM** the conviction, and **DISMISS** the appeal of the sentence.